

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

KELVIN LORENZO MCDANIEL,

Petitioner,

v.

**CIVIL ACTION NO. 5:07cv133
(Judge Stamp)**

**U.S. ATTORNEY GENERAL;
JOE D. DRIVER, Warden**

Respondents.

**ORDER
GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS**

On October 12, 2007, *pro se* petitioner, Kelvin McDaniel, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2241. On October 22, 2007, he filed an Application for Leave to Proceed *in forma pauperis*. On November 2, 2007, he filed his Prisoner Trust Account Report with supporting ledger sheet which reveals that he an account balance of \$0.31 when he filed his petition. The petitioner also indicates that has no assets and no source of income.

Accordingly, it is **ORDERED** that the petitioner's application to proceed *in forma pauperis* (Dkt. 4) is **GRANTED**.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: November 5, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE